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Attorneys for Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH, CENTRAL DIVISION**

In Re: MARTY JAMES WHETMAN, Debtor.	Bankruptcy Case Number 10-22035 RKM [Chapter 7]
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**NOTICE OF TRUSTEE'S INTENT TO SELL PROPERTY OF THE ESTATE AND
NOTICE OF HEARING AND OPPORTUNITY FOR OBJECTIONS**

**TO: DEBTOR, DEBTOR'S COUNSEL, CREDITORS OF THE DEBTOR, AND
OTHER PARTIES IN INTEREST:**

NOTICE is hereby given that Duane H. Gillman, the Chapter 7 trustee of the above estate, intends, in the absence of valid objections, to sell the real and personal property described below that is included in the bankruptcy estate of the above-named debtor, **free and clear of all liens and/or interests with valid liens and/or interests to attach to the sale proceeds.**

DESCRIPTION

Bankruptcy estate's interest in (1) real property located at 7913 South Twelve Pines Drive, Sandy, Utah ("Real Property"); (2) the Park Regency Timeshare ("Timeshare"); and (3) a Burial Plot ("Burial Plot") (collectively, the "Property")

BUYER

The buyer of the Property is the debtor's former spouse, Terri Whetman ("Whetman").

SALES PRICE/BASIS

1. The decree of divorce between Whetman and the debtor awarded the debtor an equitable lien in the Real Property in the amount of \$150,913.00, and the Timeshare and the Burial Plot.
2. Whetman has offered to pay the bankruptcy estate \$100,000.00 for the equity in the Real Property; \$1,000.00 for the equity in the Timeshare; and \$300.00 for the equity in the Burial Plot.
3. The Trustee feels that it would be in the best interests of the estate to accept Whetman's offer because under the terms of the decree of divorce payment of the equitable lien on the Real Property is not likely to occur until 2013, and given the current economy the Timeshare and the Burial Plot are not likely bring much more, at a sale or auction than what is being offered by Whetman.

TERMS AND CONDITIONS OF TRUSTEE'S SALE

1. The Property is sold as is, where is, and with no warranties or guarantees of any kind.
2. The Property is sold free and clear of all valid liens and/or interests, with valid liens or interests to attach to the sale proceeds.

INTENDED DISTRIBUTION OF SALE PROCEEDS

1. The Trustee will pay the debtor his \$20,000.00 homestead exemption claimed in and to the Real Property.

2. The remaining sale proceeds will be held by the trustee for payment of necessary expenses and disbursement to creditors of the estate.

NOTICE OF HEARING AND OPPORTUNITY FOR OBJECTION

PLEASE TAKE NOTICE that a hearing on the Motion for Order Authorizing Auction of Property of the Estate will be held before the Honorable R. Kimball Mosier, United States Bankruptcy Judge, in Courtroom No. 369, U.S. Courthouse, 350 South Main Street, Salt Lake City, Utah, on **Wednesday, September 8, 2010, at 10:30 a.m.**

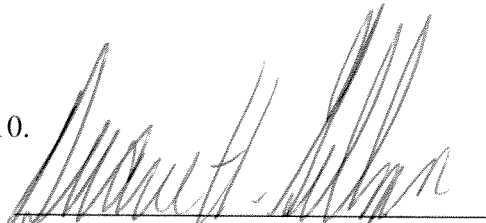
Your rights may be affected. You should read this Notice carefully and discuss it with your attorney, if you have one in this case. (If you do not have an attorney, you may wish to consult one.). If you do not want the Court to grant the relief sought in the Motion, or if you want the Court to consider your views on the Motion, then **not later than Monday, August 30, 2010 at 4:30 p.m. MDT**, you or your attorney must file a written objection specifically delineating the nature of the objection with the Clerk of the United States Bankruptcy Court, District of Utah, 350 South Main Street, Salt Lake City, Utah, 84101. If you mail your response to the Court for filing, you must mail it early enough so that the Court will receive it on or before the date specified above. You must also serve a copy on the Movant's counsel at the address listed below.

In addition, you or your attorney must attend the hearing at the date, time, and place set forth above. If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Motion and may enter an order granting the relief requested in the Motion. If an objection is not timely filed, the trustee will submit an order granting the Motion to the court and ask that the hearing be stricken.

The Motion may be reviewed at the Office of the Clerk, Room 301, 350 South Main Street, Salt Lake City, Utah, from 8:00 a.m. to 4:30 p.m. on weekdays, excluding holidays. Copies of the Motion may be obtained from the undersigned attorney upon payment of normal copy costs of \$0.23 per page.

In the absence of any objection being made and timely filed, or after a hearing on any objection and upon authorization, the Trustee will proceed with the auction according to the above-noticed terms and conditions.

DATED this 9th day of August, 2010.

A handwritten signature in dark ink, appearing to read "Duane H. Gillman", is written over a horizontal line.

Duane H. Gillman
DURHAM JONES & PINEGAR
PO Box 4050
Salt Lake City, UT 84110-4050
Attorneys for Trustee

CERTIFICATE OF SERVICE

I certify that on the 9th day of August, 2010, I caused to be served a copy of the foregoing **NOTICE OF TRUSTEE'S INTENT TO SELL PROPERTY OF THE ESTATE and NOTICE OF HEARING and OPPORTUNITY FOR OBJECTIONS** by depositing the same in the United States mails, postage prepaid, or by electronic mail, and addressed to all parties appearing on the attached matrix and the following:

/s/ Helen Doherty
DURHAM JONES & PINEGAR

Label Matrix for local noticing
1088-2
Case 10-22035
District of Utah
Salt Lake City
Wed Aug 4 08:59:19 MDT 2010

Bank of America
PO Box 15019
Wilmington, DE 19886-5019

Facts Management Company
121 S. 1300 E. #201
Lincoln, NE 68508

First Horizon
4000 Horizon Way
Irving, TX 75063-2260

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INTERMOUNTAIN HEALTH CARE
P.O. BOX 27808
SLC, UT 84127-0808

Miles E. Lignell
6076 South 900 East
Suite 150
Salt Lake City, UT 84121-1765

Scott B. Mitchell
2469 East 7000 South
Suite 204
Salt Lake City, UT 84121-3370

Mountain America Credit Union
P.O. Box 45001
SLC, UT 84145-0001

Office of Recovery Services
515 E. 100 S.
P.O. Box 45011
SLC, UT 84145-0011

Olsen & Olsen, LLC
8142 S. State
Midvale, UT 84047-3210

Park Regency Timeshare Association,
C/O Trading Places International
PO Box 30417
Los Angeles, CA 90030-0417

Skaggs Catholic Center LLC
300 E. 11800 S.
Draper, UT 84020-9035

Terri Whetman
7913 S. Twelve Pines Drive
Sandy, UT 84094-7212

United States Trustee
Ken Garff Bldg.
405 South Main Street
Suite 300
Salt Lake City, UT 84111-3402

Wayne Whetman
PO Box 700
Draper, UT 84020-0700

Marty James Whetman
7316 Hickory Hills
Salt Lake City, UT 84121-4410

Terri Whetman
7913 South Twelve Pines Drive
Sandy, UT 84094-7212

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Miles E Lignell
6076 South 900 East Ste 150
Salt Lake City, UT 84121-1765

(u)R. Kimball Mosier

End of Label Matrix
Mailable recipients 18
Bypassed recipients 2
Total 20